

HOUSE BILL NO. 457

INTRODUCED BY NOENNIG

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS GOVERNING LICENSING AND PROFESSIONAL PRACTICES OF RADIOLOGIC TECHNOLOGISTS AND RADIOLOGIST ASSISTANTS; REVISING DEFINITIONS; PROVIDING FOR INJECTIONS BY RADIOLOGIC TECHNOLOGISTS AND SUPERVISION OF THOSE INJECTIONS; PROVIDING FOR INJECTIONS BY RADIOLOGIST ASSISTANTS; REQUIRING ACTION BY THE BOARD OF RADIOLOGIC TECHNOLOGISTS UPON REQUESTS FOR LENSURE BY RADIOLOGIC TECHNOLOGISTS; REQUIRING ADOPTION OF RULES BY THE BOARD OF RADIOLOGIC TECHNOLOGISTS; ~~AND~~ AMENDING SECTIONS 37-14-102, 37-14-301, AND 37-14-313, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-14-102, MCA, is amended to read:

"37-14-102. Definitions. In this chapter, unless the context clearly requires otherwise, the following definitions apply:

(1) "Board" means the board of radiologic technologists provided for in 2-15-1738.

(2) "Department" means the department of labor and industry.

~~(3) "General supervision" means the procedure is furnished under the radiologist's overall direction and control. However, the radiologist's presence is not required at the site during the performance of the procedure.~~

(3) "GENERAL SUPERVISION" MEANS FACE-TO-FACE COMMUNICATION, DIRECTION, OBSERVATION, AND EVALUATION BY THE RADIOLOGIST AT LEAST MONTHLY, WITH INTERIM SUPERVISION OCCURRING BY OTHER METHODS, SUCH AS TELEPHONIC, ELECTRONIC, OR WRITTEN COMMUNICATION.

~~(4)(3)(4)~~ "License" means an authorization issued by the department to perform x-ray procedures on persons.

~~(5)(4)(5)~~ "Licensed practitioner" means a person licensed or otherwise authorized by law to practice medicine, dentistry, denturtry, dental hygiene, podiatry, osteopathy, or chiropractic.

~~(6)(5)(6)~~ "Limited permit technician" means a person who does not qualify for the issuance of a license under the provisions of this chapter but who has demonstrated, to the satisfaction of the board, the capability

1 of performing specified high-quality x-ray procedures without endangering public health and safety.

2 ~~(7)(6)(7)~~ "Performance of x-ray procedures" means the involvement or completion of any portion of an
3 x-ray procedure that may have an effect on the patient's accumulated x-ray radiation exposure, including
4 positioning of the patient, technique selection, selection of ancillary equipment, initiation of exposure, and
5 darkroom procedures.

6 ~~(6)(7)(8)~~ "Permit" means an authorization that may be granted by the board to perform x-ray procedures
7 on persons when the applicant's qualifications do not meet standards required for the issuance of a license.

8 ~~(9)(8)(9)~~ "Radiologic technologist" means a person, other than a licensed practitioner, who has qualified
9 under the provisions of this chapter for the issuance of a license to perform diagnostic x-ray procedures on
10 persons and who performs the following functions in connection with the diagnostic procedure:

11 (a) operates x-ray equipment to reveal the internal condition of patients for the diagnosis of fractures,
12 diseases, and other injuries;

13 (b) prepares and positions patients for x-ray procedures;

14 (c) selects the proper radiographic technique for visualization of specific internal structures of the human
15 body;

16 (d) selects the proper ancillary equipment to be used in the x-ray procedure to enhance the visualization
17 of the desired structure;

18 (e) prepares film processing solutions and develops or processes the exposed x-ray film; and

19 (f) inspects, maintains, and performs minor repairs to x-ray equipment.

20 ~~(10)(9)(10)~~ "Radiologist" means a person who is licensed to practice medicine under Title 37, chapter
21 3, ~~and~~ who is board eligible or board certified by the American board of radiology, AND WHO RESIDES AND
22 PRACTICES IN MONTANA.

23 ~~(11)(10)(11)~~ "Radiologist assistant" means an advanced-level licensed radiologic technologist who works
24 under the ~~general~~ supervision of a radiologist to enhance patient care by assisting the radiologist in the
25 diagnostic imaging environment."
26

27 **Section 2.** Section 37-14-301, MCA, is amended to read:

28 **"37-14-301. Limitation of license authority -- exemptions.** (1) A person may not perform x-ray
29 procedures on a person unless licensed or granted a limited permit under this chapter, with the following
30 provisos:

(a) Licensure is not required for:

(i) a student enrolled in and attending a school or college of medicine, osteopathy, podiatry, dentistry, dental hygiene, chiropractic, or radiologic technology who applies x-ray radiation to persons under the specific direction of a person licensed to prescribe examinations or treatment;

(ii) a person administering x-ray examinations related to the practice of dentistry or denturistry if the person is certified by the board of dentistry as having passed an examination testing the person's proficiency to administer x-ray examinations; or

(iii) a person who performs only darkroom procedures and is under the supervision of a licensed radiologic technologist or radiologist or is able to show evidence of completion of formal training in darkroom procedures as established by rule.

(b) This chapter may not be construed to limit or affect in any respect the practice of their respective professions by licensed practitioners.

(2) A person licensed as a radiologic technologist may perform x-ray procedures on persons for medical, diagnostic, or therapeutic purposes under the specific direction of a person licensed to prescribe x-ray procedures.

(3) A radiologic technologist licensed under this chapter may inject contrast media and radioactive isotopes (radionuclide material) intravenously by the use of venous puncture and saline solution flush upon request and direction of a licensed practitioner. In the case of contrast media, the licensed practitioner requesting the procedure ~~or, the radiologist, or personnel trained in advanced cardiac life support~~ must be immediately available ~~within the x-ray department~~ IN THE FACILITY. Injections must be for diagnostic studies only and not for therapeutic purposes. Except as provided in 37-14-313, permitted injections include peripheral intravenous injections but specifically exclude intra-arterial ~~or intracatheter~~ injections. An uncertified radiologic technologist, a limited permit technician under 37-14-306, or an individual who is not licensed or authorized under ~~another~~ a separate licensing act may not perform any of the activities listed in this subsection. A radiologist assistant licensed under 37-14-313 may give injections related to the procedures authorized by the board to be provided by a radiologist assistant without regard to the restrictions on radiologic technologists provided in this section, EXCEPT THAT WHEN CONTRAST MEDIA IS USED, A LICENSED PHYSICIAN OR ADDITIONAL MEDICAL PERSONNEL TRAINED IN ADVANCED CARDIAC LIFE SUPPORT MUST BE IMMEDIATELY AVAILABLE IN THE FACILITY."

Section 3. Section 37-14-313, MCA, is amended to read:

1 **"37-14-313. Radiologist assistant -- scope of practice -- board approval.** (1) A person licensed

2 under this chapter who has completed an advanced academic program encompassing a nationally recognized
3 radiologist assistant curriculum or certification and who has a radiologist-directed clinical preceptorship certificate
4 may practice as a radiologist assistant upon approval by the board. Board action upon a request for approval
5 must be taken, with or without prior rulemaking, after a written request for approval is received by the board.

6 (2) (a) The specific duties allowed for a radiologist assistant may be defined by the board by rule. The
7 rules must be consistent with guidelines adopted by the American college of radiology, the American society of
8 radiologic technologists, the American registry of radiologic technologists, the certifying board of radiology
9 practitioner assistants, and subsection (2)(b). The board shall adopt rules governing the scope of practice for
10 radiologist assistants in order to resolve any conflicts in that subject between the guidelines of the associations
11 named in this subsection.

12 (b) The rules must specify the functions that a radiologist assistant may perform in connection with
13 diagnostic procedures under the ~~general~~ supervision of a radiologist, including radiology procedures, invasive
14 procedures, procedures as delegated by a radiologist, and the types of injection of contrast media and
15 radioactive isotopes (~~radio-nuclide~~) (radionuclide) material allowed.

16 (C) THE RULES MAY SPECIFY LEVELS OF SUPERVISION BASED ON EDUCATION AND EXPERIENCE, BUT AT A
17 MINIMUM, THE LEVEL OF SUPERVISION MUST BE GENERAL SUPERVISION.

18 ~~(e)(D)~~ A radiologist assistant may not interpret images, make diagnoses, or prescribe medications or
19 therapies.

20 (3) A radiologist assistant may also be referred to as a "radiology practitioner assistant".

21
22 **NEW SECTION. SECTION 4. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL.**

23 - END -